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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MS Appeal Brief-Patents
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Daniel I. FLITCROFT et al.)	Group Art Unit: 3628
)	
Application No.: 09/506,830)	Examiner: C. Graham
)	
Filed: February 18, 2000)	Confirmation No.: 9055
)	
For: CREDIT CARD SYSTEM AND)	Appeal No.: Unassigned
METHOD)	

BRIEF FOR APPELLANTS

Commissioner for Patents
Alexandria Virginia 22313-1450

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Sir:

This appeal is from the decision of the Primary Examiner dated December 31, 2002 (Paper No. 11), finally rejecting claims, which are reproduced as an Appendix to this brief.

A check covering the [] \$155.00 (220) [x] \$320.00 (120) Government fee and two extra copies of this brief are being filed herewith.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.

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I. Real Party in Interest

The present application is assigned to Orbis Patents Ltd., a corporation duly organized under and pursuant to the laws of Ireland.

II. Related Appeals and Interferences

There are no other known appeals or interferences that will directly affect, or be affected by, or have a bearing on the Board's decision in this appeal.

III. Status of Claims

The present application contains claims 1-10, 12-16, 18 and 20-28, all of which are pending and stand finally rejected.

IV. Status of Amendments

In response to the Official Action dated July 9, 2002, Appellants filed a response pursuant to 37 C.F.R. §1.111 on October 9, 2002. This response was entered and considered.

An Amendment After Final Rejection was filed along with the Notice of Appeal on March 31, 2003. In the Amendment, Appellants canceled claims 11, 17 and 19, and made minor changes as to informalities in claims 3 and 18. The Examiner issued an Advisory Action on May 6, 2003 (paper no. 14)¹, indicating that the Amendment would be entered for the purposes of Appeal. Appellants believe the Amendment After Final Rejection has been entered as a result of filing the present Brief.

¹ As of May 5, 2003, Appellants had not received any indication as to whether the Amendment After Final Rejection submitted on March 31, 2003 would be entered for the purposes of this appeal. On May 6, 2003, the undersigned contacted the Examiner and requested that he provide an Advisory Action concerning the status of the claims. In response, the Examiner faxed to the undersigned a copy of an Advisory Action. Because the cover page was not included in the received papers, the actual mailing date may have occurred earlier than May 6.

V. Summary of the Invention

The present invention, as generally described in pages 7-11 of Appellants' specification, is directed to a credit card system which has the added feature of providing additional limited use credit card numbers and/or cards. Limited use credit cards and/or numbers are used for a single or limited use transaction, thereby reducing the potential for fraudulent reuse of these numbers and/or cards. The credit card system finds application to "card remote" transactions such as by phone or Internet. Additionally, the present invention eliminates so called "skimming" fraud in which a single use or limited use credit card is used for "card present" transactions and relevant information of the card is physically or electronically reproduced. (See the specification, page 2, lines 10-19.) The present invention also reduces occurrences or the effects of more general "compromised numbers" fraud in which credit card information is illegitimately obtained and used to fraudulently charge goods and services to the card holder's credit card account. (See the specification, page 2, line 20 to page 3, line 5.) Various other features of the present invention enhance the credit card system which will allow secure trade without the use of elaborate encryption techniques while providing a great deal of flexibility to the end user.

Existing or proposed systems, such as those described in pages 3-7 of Appellants' specification, address problems of credit card fraud by using elaborate schemes for encrypting credit card details and verification of participants in an electronic transaction. However, systems which rely solely on encryption still remain vulnerable to fraud by individuals willing to try and break the code using techniques such as "brute force" decryption. In addition, many of these systems either require substantial changes in how merchants handle transactions or require entirely new electronic payment systems for processing credit card transactions, such as modifications of the technology used at the point of sale, which will require considerable investment and further limit the uptake of the systems. Another problem with these systems is that there are many competing technologies and therefore there is a multiplicity of incompatible formats which will be a deterrent to both traders and consumers. This represents an important commercial disadvantage for card issuing entities and merchants.

One proposed system that addresses some these problems is described in the Franklin et al. patent (applied against the presently appealed claims) and in pages 4-5 of Appellants' specification. In this system, a user of the Internet or the like clicks on an icon to receive a proxy transaction number from a credit card provider. This proxy number stands in for the user's regular credit card number during transmission over the Internet, but expires after a short time (e.g., one hour) to reduce the chance that the number will be effectively intercepted and fraudulently used. The processing that occurs when a bank receives transaction information from a merchant involves checking whether the proxy number is a valid number and whether the transaction value and merchant match. However, in this system there is no additional processing triggered when the bank processing system receives the proxy number. A significant drawback of this system is that an unscrupulous merchant or a criminal who is capable of accessing or intercepting order details can then turn around and use the proxy number a number of times before the lapse of the expiration term. Thus, more than one transaction can occur within the duration of the expiration term. There is nothing in place in this system to prevent this type of fraud. The system merely depends upon an assumption that fewer criminals could obtain the proxy number and reuse it within the expiration term of the proxy transaction number set by the issuing bank than the total number of criminals capable of gaining access to credit card numbers used for online commerce. Also, the inclusion of specific transaction information does not prevent a fraudulent merchant from recurrent unauthorized charges within the expiry time of the proxy number. The user will not be aware of this misuse of his/her credit card details until the receipt of the statement, which will typically not be until several weeks later.

The Franklin et al. patent also does not allow for delayed payment. For instance, the Franklin et al. system cannot operate for face-to-face (card-present) and mail order transactions due to longer time delays that are not definable at the time of issuing a proxy number. Mail order companies typically charge a credit card when the goods are ready for shipping, not when an order is placed. Therefore, a proxy number would have to be valid for a month or more, removing the security advantage of the short lived proxy number of the Franklin et al. system. In addition, the Franklin et al. system has practical problems for many

Internet purchases that involve the shipping of physical goods rather than providing immediate delivery of software or services. In the former case, the merchant does not generally process the transaction until the goods are available. For example, in the case of a book from Amazon.com that is not in stock, the complete transaction may take weeks or months to complete. These delays are not necessarily apparent at the time that a proxy number is issued, and therefore a very long expiry time would be required to account for such eventualities, removing the security. Alternatively, a short expiry time to ensure security will present the cardholder and merchant with the unacceptable difficulty and inconvenience of handling a declined transaction for any orders where there is a delay in availability.

Another problem associated with the Franklin et al. system is that it is impractical, if not impossible to be used to make split payments. It is noted that merchants oftentimes require that multiple charges be placed against the credit card. For instance, if multiple items are to be sent to the customer (for example from an on-line bookstore such as Amazon.com), the merchant typically only charges for those items that are actually sent and when they are actually sent. Hence, if there is a back order, the merchant needs to charge the credit card number for more than one authorization. In effect an order may be broken into several different orders after it has been placed and it may take many weeks for the order to be completed. Hence, in the present invention the credit card could be limited to use with a particular merchant for a specified amount by its initial use with that particular merchant. In other words, a customer using a limited use credit card number would give that limited use credit card number to the merchant. The merchant ID and the amount of the transaction would be conveyed, e.g., during a normal authorization process to the issuing bank and the limited use credit card number would be available for multiple uses by the merchant of first use but only by that merchant and only up until the full amount of the purchase. What this means is that if the customer ordered two items, and one item was back ordered, the merchant could send the first item, charge the account for the first item, and then send the second item at some later date, again being able to charge the same limited use credit card number. Upon the shipment of the second item, the limited use-triggered conditions would be met and the card deactivated.

This is a fundamental and required ability of a credit card system insofar as it is a very common occurrence. The Franklin et al. system, in contrast, is incapable of accommodating this type of transaction. Because its proxy number becomes invalid within a very short period, e.g., one hour, the merchant would either have to forego the sale of the second item, or charge for both items even though both are not being shipped contemporaneously. Increasing the expiry time to account for such orders would remove the security that the system aims to provide. In the case that specific transaction details were specified for a proxy number at the time of issue then splitting the payment of an order will lead to a rejection by the issuing of both payment requests since neither will match the transaction value specified at the time of placing the order. All of these scenarios would be unacceptable to the market.

Another example is a type of subscription service. For instance, if one were to subscribe to an Internet service provider (e.g., AOL), the provider would charge perhaps a monthly fee for accessing the service. This may vary if additional services are used during each month. Using the present invention's limited use credit card, the conditions for the triggering deactivation through the credit card numbers use could be permitting a particular merchant determined by first use to charge a set monthly fee at a rate of one per month for twelve months, for instance. At the twelfth charge, the limited use credit card would be deactivated because of the subsequent fulfillment of the use-triggered condition for deactivation. This prevents fraud from the unscrupulous merchant or interceptor of the transaction number from continuing to charge the credit card for the thirteenth, fourteenth, fifteenth month, etc. This has been reported by VISA as a major source of customer complaints. The present invention prevents this sort of misuse of a credit card number.

In contrast, the Franklin et al. proxy number is simply unavailable for this type of transaction. If one were wanting to subscribe to a service having a monthly fee, it would be necessary for a Franklin et al. system user to have generated a proxy number for each month's transaction at the time of transaction, which would effectively make it a unilateral terminable pay-as-you-go service rather than a pre-paid yearly service contract due to the required involvement of the customer.

Another area in which the Franklin et al. system would fail is with regard to systems commonly operated by many Internet merchants (e.g., Amazon.com and CDNow.com) whereby a user having filled in their credit and shipping details has the option of letting the merchant keep the number for future transactions. This removes the need to type in personal and credit card details with every purchase since the customer can be identified by a password or "cookie" (an identification file downloaded by the merchant onto the user's computer) and then just clicks on the order button to complete the transaction using the data previously collected. In the present invention a cardholder can use a limited use card for this sort of payment process that is locked onto a specific merchant on the basis of first use. Such a card can be used for repeated transactions up to either a limited number of transactions or a value limit before it becomes deactivated as defined by the user. In the case that the card number is intercepted or accessed on a merchant's server it cannot be used at any other merchant. The user can provide as much purchasing power (in terms of number of transactions or dollar value) as they feel confident providing to that particular merchant. If a user shops in a variety of Internet sites they will require a means for maintaining a pool of such limited use cards.

The Franklin et al. system does allow any mechanism for this sort of very common Internet purchase process. It would require an expiry term of at least several months to be practical and the additional optional limitation to a specific transaction (i.e., combination of merchant and transaction value) would prevent different purchases being made over time.

By contrast, a common feature of the present invention is that the limitation is based on a use-triggered condition that occurs subsequent to assignment of the limited use credit card or credit card number. Stated differently, the a limited-use credit card or credit card number is deactivated upon a use-triggered condition, rather than the lapse of a time period, which occurs subsequent to assignment of the at least one credit card number. The use-triggered deactivation feature of the present invention solves problems associated with the prior art systems whereby criminals may gain access to a credit card number when the number is submitted during a transaction, and use the number for illegitimate purposes before it is cancelled or otherwise deactivated. At the same time, the use-triggered deactivation can

be included in present system using the merchant's existing processing equipment and with minimal modification to the card issuer's system. The present invention operates appropriately in card-present, mail order and Internet shopping. A range of additional products and payment features are integral to the present invention that allow for the successful operation of, for example, gift cards, subscription cards (e.g., monthly payments) and one-click shopping systems and their equivalents.

There are at least two basic different ways of carrying out the present invention. In summary, they are the allocation of additional credit card numbers for remote trade and secondly the provision of what are effectively disposable credit cards for remote and card present trade, both of which have the feature of deactivation upon a use-triggered condition to protect against the worst effects of compromised numbers fraud or skimming.

An exemplary embodiment of the present invention, shown in Figure 9 and described in pages 53-54 of Appellants' specification, pertains to a method used in a financial transaction system capable of using a limited use credit card number which is deactivated upon a use-triggered condition which occurs subsequent to assignment of the at least one credit card number and which is associated the master account number of a customer. The method controls the validity of the limited use credit card number and includes the steps of: sending to a customer from a limited use credit card number issuer a limited use credit card number which is not yet activated (see Figure 9, step 902); receiving acknowledgment of delivery by the customer of the limited use credit card number which is not yet activated (Figure 9, step 904); communicating with a limited use card number card issuer to activate the card before it can be used in a transaction (Figure 9, step 906); and validating the limited use credit card to have associated limited use properties (Figure 9, step 908). These properties, which are in addition to the use-triggered condition that deactivates the credit card number, can be such things as a specific time period, a specific merchant, a specific group of merchants, a specific type of transaction, and a specific number of transactions (see, for example, the description thereof in the specification, pages 15-16, 30-32, and page 54).

As described, for example, on pages 54-58 of the specification, the validation step can include activating validity limited credit card software using a user identification to identify

the user with the card issuer; requesting validation of a limited use credit card for a merchant as identified by a merchant identification number; and providing an option for a user to specify additional limitations other than the specific merchant to the limitation on the limited use credit card number.

Another embodiment of the present invention, shown in Figure 12 and described in pages 60-61 of the specification, provides a method of conducting a transaction involving a limited use credit card, which includes initiating a transaction by a customer presenting a limited use credit card number to a merchant (see Figure 12, step 1202); routing the limited use credit card number to a central processing system (Figure 12, step 1204); determining whether the limited use credit card number has been deactivated because the limited use condition has been satisfied (Figure 12, step 1206); transmitting a signal to the merchant denying authorization of the card number if the credit card number has been deactivated (Figure 12, step 1208); transmitting a signal to a master credit card issuing facility which issued that limited use credit card number, the signal including original transaction details but with the limited use credit card number remapped to be a master credit card number if the limited use credit card number has not been deactivated (Figure 12, step 1210); determining at the whether authorization can be obtained against the master credit card number (Figure 12, step 1212); authorizing or denying authorization of the transaction based on this determination (Figure 12, step 1214); remapped any such authorization or denial to the limited use credit card number for transmission to the merchant (Figure 12, step 1216); and transmitting a signal to the merchant authorizing or denying authorization of the limited use credit card number (Figure 12, step 1218).

The present invention provides a method of conducting a settlement transaction, which is shown Figure 13 and described on pages 61-63 of the specification. The method includes transmitting a signal from a merchant to a central processing system according to leading digits of the limited use card number (Figure 13, step 1302); remapping the limited use credit card number with the master credit card number (Figure 13, step 1304); transmitting the remapped master credit card number to issuer processing facility which issued the master credit card number (Figure 13, step 1306); settling the transaction by

payment, if appropriate, to the central processing system (Figure 13, step 1308); remapping the master credit card number back to the limited use credit card number (Figure 13, step 1310); and transmitting the limited use credit card number and payment information, if appropriate, to the merchant (Figure 13, step 1312).

The present invention also includes a method of providing remote access devices for accessing limited use numbers. The method, shown in Figure 16 and described in the specification at pages 64-66, includes submitting user authentication information and the master account number for entry into a database (Figure 16, step 1602); determining whether the user is a valid user of the master credit card number (Figure 16, step 1604); registering the user if the user is determined to be a valid user (Figure 16, step 1606); and obtaining by registered users a software package to which enables communication with a remote access device support server to enable the issuance of limited use card numbers (Figure 16, step 1608). An exemplary way in which a user obtains a limited use number involves using the software package to initiate communication with the remote access support server (Figure 16, step 1610); authenticating the user at the remote access support server; requesting a limited use number by an authenticated user (Figure 16, step 1612); specifying by the authenticated user any additional transaction limitations desired (Figure 16, step 1616); obtaining an available limited use number (Figure 16, step 1618); entering the limited use number and the specified limitations into the database such that the limited use number is associated with the user's information already in database (Figure 16, step 1620); and transmitting the limited use number to the user (Figure 16, step 1622).

In this way, a merchant can receive a limited use credit card number; process the received limited use credit card number in a transaction as any other credit card number; pass the transaction through to the card issuer's processing system; and request authorization of the transaction at the card issuer's processing system against the associated limited use properties. The system can then deactivate the limited use credit card number by the card issuer when a use-triggered condition is present. Also, limited use transaction numbers/cards can be obtained by authorized users and activated with properties that are defined by the user, and only activated for the user-defined properties.

VI. The Issues

- A. Whether claims 1-5, 11, 12, and 15-28² have been improperly rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,883,810 to Franklin et al. (hereafter "*Franklin*") on the grounds set forth in ¶2 of the Final Rejection; and
- B. Whether claims 6-10, 13 and 14 have been improperly rejected under 35 U.S.C. §103(a) as being obvious over *Franklin* in view of U.S. Patent No. 5,777,306 to Masuda (hereafter "*Masuda*") on the grounds set forth in ¶3 of the Final Rejection.

VII. Grouping of Claims

Although pending claims have been grouped into two grounds of rejection, not all of the claims in each group stand or fall together. Rather, various ones of the claims present separate issues of patentability that must be considered independently of other claims. The separate bases of patentability, and the claims corresponding thereto, are presented in the arguments that follow.

VIII. Argument

Legal Principles Concerning Obviousness Under 35 U.S.C. § 103

"To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). See, MPEP § 2143.03 (8th ed., August 2001).

The Patent Office has an initial burden of supplying a factual basis for any rejection. It is improper, simply because it may have doubts that the invention is patentable, to resort to

² It is noted that although the ground of rejection pertains only to *Franklin*, the Examiner discusses a combination of *Franklin* and *Masuda* in the statement of rejection for claims 13 and 14. (See the final Office Action, page 8, starting at the third-to-last line to about the middle of page 9.) Appellants believe the Examiner intended to group claims 13 and 14 with claims 6-10.

speculation, assumptions, or hindsight reconstruction to supply any deficiencies contained in the rejection. *In re Warner*, 379 F.2d 1011, 154 USPQ 173, 178 (C.C.P.A. 1967). Factual determinations made by the Patent Office must be based on a preponderance of the evidence standard, and the legal conclusions reached must be correct. *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992).

There must be some teaching or suggestion within the prior art that would have lead one of ordinary skill in the art at the time that the invention was made to look to the identified sources of information, select particular elements, and combine them in the way they were combined by the inventor in order to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a). *ATD Corporation v. Lydall, Inc.*, 48 USPQ2d 1321, 1329 (Fed. Cir. 1998).

Finally, the prior art should be considered as a whole, including evidence in the prior art that teaches away from the claimed invention. *Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc.*, 230 USPQ 416 (Fed. Cir. 1986).

A. The Rejections of Claims 1-5, 11, 12, and 15-28 under 35 U.S.C. § 103 in View of *Franklin et al.* Are Improper Because They Do Not Establish a *Prima Facie* Case of Obviousness

The rejections of claims 1-5, 11, 12, and 15-28 over the *Franklin et al.* patent should not stand at least because the *Franklin et al.* patent does not teach each and every claim limitation of the independent claims. Thus, the grounds of rejection fail to satisfy the burden of establishing that the presently claimed invention is *prima facie* obvious. Appellants respectfully assert that the claims in the present application further define novel and inventive subject matter not described or suggested in the *Franklin et al.* patent.

1. A Common Distinction in All Pending Claims

With respect to independent claims 1, 8, 16, 18 and 22, the *Franklin et al.* patent does not teach or suggest a limited use credit card number, which is deactivated upon a use-triggered condition, which occurs subsequent to assignment of the limited use credit card number. The *Franklin et al.* patent teaches an electronic online commerce card with a

transaction proxy number that has a finite life (column 9, lines 43-62). Indeed, the *Franklin et al.* patent does not disclose any "use-triggered" condition that deactivates its transaction proxy number (i.e., nothing about the use of the transaction proxy number causes it to be deactivated). Rather, the transaction proxy number taught in the *Franklin et al.* patent transaction proxy number that is active for a short time, which can be tied to a specific transaction, and is designed to be a single-use transaction card (column 2, lines 12-15). Actually, the *Franklin et al.* patent teaches that the transaction proxy number is deactivated upon the expiration of a time limit, which is typically one-half hour to two hours, regardless of whether the transaction number is ever even used, used only once, or used multiple times within the short time limit (column 9, lines 57-58).

It is pointed out that any proposed modification to the *Franklin et al.* system that would result in this feature of the present invention would necessarily change the principle of operation of the *Franklin et al.* system. As such, the *Franklin et al.* patent cannot render the pending claims *prima facie* obvious. See, e.g., *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959), cited in MPEP § 2143.01.

The expiration of a time limit is certainly not a use-triggered event pertaining to the use of the limited use credit card number. Indeed, there is a fundamental difference between a time-triggered event and a use-triggered event. As such, independent claims 1, 8, 16, 18 and 22, and hence also their dependent claims, set forth novel and inventive subject matter not described or suggested in the *Franklin et al.* patent. The rejection should be reversed at least for this reason.

2. Independent Claims 1 and 22

The final Office Action correctly acknowledges that the *Franklin et al.* patent does not teach or suggest sending a limited use credit card number which is not yet activated, as recited in claims 1 and 22. In fact, the *Franklin et al.* patent teaches away from the feature of sending a limited use credit card number which is not yet activated, within the meaning of the term as described in the specification of the present application (See Appellants' specification, page 54, lines 13-22.) The *Franklin et al.* patent teaches a transaction proxy

number which is issued during the transaction. (See *Franklin et al.*, column 10, lines 6-9 and 14-20.) Moreover, the *Franklin* patent teaches that the validity of the transaction proxy number is “temporary” and of a short duration of time (typically one-half hour to two hours) to minimize the likelihood of fraud resulting from theft or misuse. (See *Franklin et al.*, Abstract, lines 11-13; column 2, lines 15-17; and column 9, lines 44-46.) According to the *Franklin et al.* patent, when a customer receives the transaction proxy number, he or she enters it into a merchant’s electronic order form either automatically by clicking an icon or “in a worst case scenario” by manually entering the proxy transaction number into the electronic order form. (See *Franklin et al.*, column 10, lines 14-20.) Because the *Franklin et al.* patent requires the customer to enter the transaction proxy number into the merchant’s electronic order form just after it is received, and the request for the number and its subsequent submission to the merchant occurs during a transaction event, it appears that activation of the number must occur before it is sent to a customer. In addition, when considering the brief transaction proxy number's lifetime coupled with the relative immediacy by which receipt and submission of the number takes place during the transaction process, one of ordinary skill in the art would have been led away from sending a customer an inactivated number because doing so would require an unneeded complexity to the transaction process of the *Franklin et al.* patent. Accordingly, the feature of sending a limited use credit card number which is not yet activated would not have been obvious to a skilled artisan at the time the invention was made, but in fact would require a fundamentally different approach to the issue of on-line security employing substitute credit card numbers.

It should be noted that the present invention provides a great deal more flexibility to the end user. For example, a card holder could activate his or her card number for a specific merchant or groups of merchants, for a specific type of transaction, or for a specific number of transactions. These activation properties can also be combined in many permutations. Put simply, the card holder controls the precise scope of the activation of his or her card number by defining the properties and parameters of the activation process. Accordingly, the present invention provides a solution that meets the long-standing need for a secure, flexible payment system for remote transactions.

There is no suggestion in the *Franklin et al.* patent, however, concerning any such user-controlled, use-specific activation of a credit card number that is subject to deactivation upon use-triggered conditions. To the contrary, the *Franklin et al.* patent teaches a transaction proxy number, the parameters of which are: (1) limited to a single use (Abstract line 10-12), (2) are controlled, if at all, by the issuing institution and not the user (column 2, lines 50-52), and (3) are deactivated upon the expiration of a time limit rather than upon use-triggered conditions (column 9, lines 57-58).³ Thus, claims 1 and 22 further define novel and inventive subject matter not described or suggested in the *Franklin et al.* patent for at least these reasons.

By virtue of the reasons set forth above, Appellants assert that the Office has not established a *prima facie* case of obviousness. As such, the rejection of claims 1 and 22, and the claims that depend therefrom, should be reversed.

3. Dependent Claims 2 and 23

With respect to claim 2, Appellants submit that the *Franklin et al.* patent does not suggest the claimed combination including sending to a customer a non-activated limited use credit card number and thereafter validating limited use properties selected from one of a specific time period, a specific merchant, a specific group of merchants, a specific type of transaction, and a specific number of transactions. As mentioned above, these features gives the user a great deal of flexibility in how the limited use card number may be used. In contrast, the *Franklin et al.* patent discloses that by the time a user receives a transaction proxy number, it has been activated for only a period of time that covers “the worst case time for returning the authorization request response to the merchant, plus overhead to account for customer and merchant handling prior to submittal of the authorization request” (see the *Franklin* patent, column 9, lines 48-51). Hence, the transaction proxy number of the *Franklin et al.* patent expires after this “worst case” period of time, whether or not the user actually

³ The suggested motivation for a modification to the *Franklin et al.* system appearing at page 4 of the Office Action is not completely understood because it does not appear to be related to the concept of “activation.”

uses the number. Invalidation as described in the *Franklin et al.* patent is entirely different from “use-triggered” deactivation as claimed.

In the final Office Action, the Examiner acknowledges that the *Franklin et al.* patent does not teach or suggest a method of controlling the validity of a limited use credit card number, wherein the limited use properties are selected from a specific group of merchants. Appellants agree with this statement by the Examiner and further submit that the transaction proxy number of the *Franklin et al.* patent is designed to be strictly a *specific*-use transaction number, for one-time use in a specific transaction by linking some transaction specific information and, therefore, necessarily only with a specific merchant. The *Franklin et al.* patent identifies its system as involving “a transaction number for a single transaction”⁴ or words to this effect (see, e.g., Abstract line 10-12; column 2, lines 14-15; column 4, line 65 - column 5, line 3; and column 9, line 63). Indeed, the *Franklin et al.* patent specifically discloses the following:

For added security, the transaction number can be linked to extra transaction information to ensure that the number is only used for one specific transaction. For instance, the issuing institution might tie the transaction number to a specific purchase amount and a particular merchant ID (Emphasis added). (See *Franklin et al.*, column 2, lines 48-52.)

The *Franklin et al.* patent offers no suggestion whatsoever for providing a limited use credit card number which is usable for multiple transactions, or with a specific group of merchants. Rather, the *Franklin et al.* patent focuses on a short lived transaction number, or use with a single merchant. This novel feature of the present invention resolves a long-felt but unresolved need for a limited use credit card number that is limited to use with a specific group of merchants (e.g., so that the number can only be used with food merchants, or clothing merchants, etc.). Consequently, this feature would not have been obvious to a

⁴ It is respectfully submitted that because the *Franklin et al.* system has no mechanism for preventing multiple use for a specific transaction (as disclosed it could be used to make the same purchase multiple times with the same merchant even when the merchant information is linked to the transaction), it would seem more appropriate to describe it as a “specific”, rather than “single”, use credit card.

person of ordinary skill in the art at the time the invention was made. Hence, claim 2 is separately patentable for this additional reason.

Claim 23 defines the same novel features of claim 2, but further includes, *inter alia*, a user communicating with a limited use card issuer to activate a not yet activated limited use card number, wherein the properties of the activation are defined by the user and only for those user-defined limited uses. As pointed out above, the *Franklin et al.* patent does not disclose, nor otherwise suggest, activating a limited use credit card after it has been received by the user. As acknowledged in the final Office Action, the *Franklin et al.* patent does not teach a limited use credit card number that is not yet activated. (See the final Office Action, page 15.) To the contrary, the transaction number in the *Franklin et al.* patent appears to be activated before it is received by the user (see the discussion above concerning claims 1 and 22). Moreover, the activation parameters of the transaction proxy number are controlled, if at all, by the issuing institution and not the user (column 2, lines 50-52). Hence, claim 23 recites a combination of features that is not taught or suggested in the *Franklin et al.* patent.

4. Dependent Claims 3 and 24

With respect to claims 3 and 24, the *Franklin et al.* patent does not teach the limitation sending to a customer a unique personal validity limited credit card number. For at least the same reasons discussed above, the validity of the credit card number disclosed in the *Franklin et al.* patent is not limited by the card holder's own personal validation properties. In particular, as disclosed in the *Franklin et al.* patent, the scope of validation is not personal (i.e., the card is not valid for specific merchants, specific types of personal transactions, etc.). That is, the validity of the card number disclosed in the *Franklin et al.* patent is not limited by associated user-defined limited use properties. Rather, validity in the *Franklin et al.* patent (i.e., lapse of an expiration term or requiring the customer to enter information pertaining to a purchase) appears to be entirely determined by the card issuing institution. While the transaction proxy number disclosed in the *Franklin et al.* patent can be linked to extra transaction information (e.g., the merchant name, or the specific transaction amount), the user cannot define personal limited use properties for the transaction number. Therefore, because

the *Franklin et al.* patent does not disclose or suggest a unique personal validity limited credit card number, claims 3 and 24 further define novel and inventive subject matter for at least this reason.

A further distinction set forth in claims 3 and 24 include sending a unique personal validity limited credit card number to a user along with a software package from the card issuer. By contrast, the software described in the *Franklin et al.* patent is delivered to the customer before any type of transaction number is issued to the customer. (See *Franklin et al.*, column 6, lines 54-56; column 8, lines 37-42; column 8, lines 62-65; column 9, lines 30-32; and column 10, lines 6-8.) Because the *Franklin et al.* patent does not disclose a unique personal validity limited credit card number, it certainly does not teach sending one of these numbers along with a software package from the card issuer.

At least for these reasons, claims 3 and 24 define, in addition to the distinctions found in the independent claims, separately patentable novel and inventive subject matter not described or suggested in the *Franklin et al.* patent. As such, the rejections are improper and should be reversed because the Office has not established a *prima facie* case of obviousness.

5. Dependent Claims 4 and 25

The *Franklin et al.* patent does not teach or suggest providing an option for a user to specify additional limitations other than the specific merchant to the limitation on the limited use credit card number, as recited in claim 4, and that the user is provided an option to define additional uses other than the specific merchant to the limited uses permitted for the limited use credit card number, as recited in claim 25. In contrast, the *Franklin et al.* patent teaches that, for added security, the transaction number can be linked to extra transaction information, specified by the issuing institution, to ensure that the number is only used for one specific transaction. For instance, the issuing institution might tie the transaction number to a specific purchase amount and a particular merchant ID (column 2, lines 50-52). Or, the issuing institution imposes a short expiration term on the transaction number so that the number becomes invalid after the expiration term lapses (column 2, lines 52-55). While the transaction module disclosed in the *Franklin et al.* patent may require the customer to enter

information pertaining to the purchase, like the purchase price, item number, merchant name, etc. (column 9, line 66 - column 10, line 5), the user does not have the option to specify or define additional limitations. For instance, after entering the required information pertaining to the purchase, as mentioned above, the user could not additionally specify or define that the number of transactions must be limited to 1, thereby preventing the merchant from fraudulently charging multiple identical transactions. Thus, because the *Franklin et al.* patent does not teach or suggest providing an option for a user to specify additional limitations on the limited use credit card number as recited claim 4, and an option for a user to defined additional uses as recited in claim 25, each of these claims defines novel and inventive subject matter not taught or suggested by the *Franklin et al.* patent.

6. Dependent Claims 27 and 28

With respect to claim 27, it is respectfully submitted that the *Franklin et al.* patent does not teach or suggest deactivating a limited use credit card number upon a use-triggered condition which occurs subsequent to assignment of the limited use credit card number. Because the *Franklin et al.* patent does not teach or suggest deactivating a limited use credit card upon a use-triggered condition, it necessarily follows that this document does not teach or suggest communicating with the card issuer to reactivate the limited use credit card number and reactivating the limited use credit card number with associated user-defined limited uses, as claimed. In addition, the transaction proxy number is intended to be used for only one specific transaction. Thus, the *Franklin et al.* patent teaches away from reactivating the transaction proxy number with user-defined limited uses. Furthermore, the final Office Action does not mention anything with respect to the *Franklin et al.* patent teaching or suggesting the feature of reactivating a limited use card. Thus, claim 27 defines further points of distinction that are not taught or suggested in the *Franklin et al.* patent. As such, the rejection is improper because a *prima facie* case of obviousness does not exist.

Dependent claim 28 is believed patentable at least for the above reasons given above for claim 27 and for further distinctions it recites. Claim 28 recites that the user-defined limited uses of the reactivated limited use card number are different from the user-defined

limited uses of the activated limited use credit card number. As mentioned above, the *Franklin et al.* patent does not teach or suggest deactivating a transaction proxy number by way of a use-triggered condition and then reactivating the number with associated user-defined limited uses. Thus, the *Franklin et al.* patent certainly does not teach or suggest reactivating a deactivated limited use as claimed.

7. Dependent Claims 5, 15, 20, 21 and 26 Are Patentable

For at least the same reasons discussed above, Appellants respectfully request that the rejections to claims 5 and 26 be reversed. Because the *Franklin et al.* patent does not teach or suggest a limited use credit card number which is deactivated upon a use-triggered condition, claims 5 and 26 further define novel and inventive subject matter.

With respect to claim 15, Appellants respectfully request that the rejection of this claim be reversed, if for no other reason than because this dependent claim includes all the limitations of claims 8 and 13, and reasons are set forth above regarding the novel and inventive nature of both these claims.

With respect to claims 20 and 21 the Office Action, again, acknowledges that the *Franklin et al.* patent does not teach a limited use credit card number that is not yet activated. For the reasons set forth above with respect to claim 1, in fact, the *Franklin et al.* patent teaches away from this feature. Thus, sending a limited use credit card number which is not yet “activated” would not have been obvious to a person of ordinary skill in the art at the time the invention was made.

8. Proposed Modifications of *Franklin et al.* were Obtained Through Improper Hindsight Reconstruction of the Claimed Invention

The final Office Action includes a number of statements suggesting motivations for the many fundamental modifications to the applied art that would be required to meet the recitations of the pending claims. These statements are not supported by combined teachings in the applied art, but instead appear to be based on the use of improper hindsight obtained by the present invention. As such, a *prima facie* case of obviousness is not established.

Interconnect Planning Corp. v. Feil, 774 F.2d 1132, 227 USPQ 543 (Fed. Cir. 1985). For instance, at page 7 of the Office Action, the Office suggests that the “benefit [of the proposed modification to met the recitations of claim 5] would have been to tender the credit card number to a merchant to pay for merchandise further deactivating the limited use credit card when the transaction is completed.” This teaching is found only in Appellants’ invention as explained above. See also, the identified “benefits” of modifications proposed to meet the recitations of claims 11 and 12, for instance, at page 7 of the final Office Action.

It was noted in Appellants’ response of July 9, 2002, that many of the identified “benefits” suggested in the rejection of various claims are not found in the prior art. In Appellants’ response, it was requested that the Examiner identify the source of the identified motivation in order to show compliance with this important requirement for establishing a *prima facie* case of obviousness. See, MPEP 2143.01. However, the final Office Action does not identify any source relied upon for the stated motivations. The absence of requested evidence suggests that the Examiner has fallen victim to a syndrome wherein that which only the inventors have taught has been used against them. The use of hindsight to support an obviousness rejection is, of course, impermissible. See, for example, *W.L. Gore & Assocs., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed. Cir. 1983) *cert denied*, 469 U.S. 851 (1984). At least for this reason, Appellants submit that the rejection of claims 1-5 11, 12, and 15-28 is improper and should be reversed.

B. The Rejections of Claims 6-10, 13 and 14 under 35 U.S.C. § 103 over *Franklin et al.* In View of *Masuda* Are Improper Because They Do Not Establish a *Prima Facie* Case of Obviousness

In accordance with the case law, as summarized in the MPEP § 2143, three criteria must be met to establish a *prima facie* case of obviousness. First, the cited documents must teach or suggest all of the claim limitations. Second, there must be some suggestion or motivation, either in the cited documents themselves or in the knowledge generally available to one of ordinary skill in the art, to have combined the teachings of the cited documents.

Third, there must have been a reasonable expectation that the documents could have been successfully combined.

With respect to claims 6-10 and 13-14, it is respectfully submitted, *arguendo*, that even if there were some suggestion or motivation to combine the *Franklin et al.* patent and the *Masuda* patent, and a reasonable expectation of success, the references when combined do not teach or suggest all the claim limitations of the present invention. For the reasons set forth above, the *Franklin et al.* patent does not teach or suggest a limited use credit card number that is deactivated upon a use-triggered condition, which occurs subsequent to assignment of the limited use credit card number.

Like the *Franklin et al.* patent, moreover, the *Masuda* patent does not teach a limited use credit card number which is deactivated upon a use-triggered condition which occurs subsequent to assignment of the limited use credit card number. In marked contrast, the *Masuda* patent is directed to a credit card system that allows a retail store or credit company to issue a credit card to a customer immediately upon application, rather than according to conventional lengthy credit card issuing processes. Also, the *Masuda* patent teaches a credit card or “first” system that may have a limit amount column for recording a limited amount of money, and the first system may further comprise means for updating the limit amount of money recorded in the limit amount column as the credit card is used (column 3, lines 32-41). The *Masuda* patent does not teach, however, that once the limit amount of money is reached, the card is deactivated, as defined in the present application. To the contrary, once the limit amount of money is reached or exceeded, the first or second system only determines that the card cannot be used for that particular transaction, i.e., the specific transaction is “declined”. Significantly, the system disclosed in the *Masuda* patent does not deactivate the card number upon exceeding the limit amount of money. Thus, the rejection cannot stand at least because no combination of the cited documents teaches all of the claim limitations. Motivations to combine the cited documents and reasonable expectations of successful combinations would also be absent, but it should be sufficient to point out the absent limitations.

It is respectfully submitted that the suggestion to combine such disparate documents, with no indication of any substantial motivation for the combination of the documents

themselves, may reflect a use of Appellants' claims as mere templates for picking isolated features from the art. Such hindsight reconstruction is improper. See, e.g., Sensonics, Inc. v. Aerosonic Corp., 38 U.S.P.Q.2d 1551 (Fed. Cir. 1996); In re Oetiker, 24 U.S.P.Q.2d 1443, 1446 (Fed. Cir. 1992) (reversing an obviousness rejection and stating the "reason, suggestion, or motivation" to combine (or modify) prior art "can not come from the applicant's invention itself. [Citation omitted.]").

C. Response to Examiner's Arguments

It is respectfully submitted that the final Office Action overlooked essentially all of Appellants' specific points of rebuttal directed to why the Office failed to establish a *prima facie* case of obviousness. Instead, the Examiner responded to Appellants' arguments by merely reproducing the statements of the rejections and by adding the following statements:

8. Note is taken by the examiner that should the applicant find objectionable any statements made herein by the examiner regarding inherency, implicitness, obviousness, or Official Notice, Applicant can make a proper challenge to those statements: a simple response requesting a reference without doing so, or a response that fails to logically refute the basic assumptions underlying the justification, will result in an improper and failed challenge and those unchallenged statements will remain the record of the case. Applicants must seasonably challenge those statements in the first response following an Office Action. If an applicant fails to do so, his right to challenge them is waived.

9. In response to applicant [sic] arguments against the references individually, one cannot show nonobviousness by attacking the reference individually where the rejections are based on a combination of references. See In Keller [sic], 642 F.2d, 208 USPQ 871 (CCPA 1981); In re Merk & Co. [sic], 800 F.2d 1091, 231 USPTQ [sic] 375 (Fed. Cir. 1986).

With respect to ¶8, above, neither the rejection set forth in the July 9, 2002 Office Action nor in the December 31, 2002 final Action include any particular statements regarding inherency, implicitness, and "Official Notice." The statements of ¶8 are overly broad, and thus not applicable to the rejections set forth in the final Office Action. For instance, none of the rejections set forth "Official Notice" of facts that are capable of instant and

unquestionable demonstration as being “well-known” in the art.⁵ “The CCPA has required that an applicant for patent be ‘amply apprised’ of a taking of official notice.”⁶ Appellants respectfully submit that the Examiner did not indicate “Official Notice” of facts in a way would have apprised Appellants that notice had, in fact, been taken. The Examiner’s statements in ¶8 regarding implicit or inherent disclosure are similarly inapplicable because the rejections are devoid of any such assertions regarding implicit or inherent disclosure. ¶8 also appears to imply that Appellants have not made a proper challenge to statements with respect to “obviousness,” and appears to be an attempt to improperly shift the burden to the Appellants. In response, Appellants respectfully submit that they have timely and vigorously refuted the rejections by set forth in the July 9, 2002 Office Action by pointing out several reasons why the rejections fail to establish a *prima facie* case of obviousness. Furthermore, Appellants presented reasons why pending claims would otherwise not have been obvious over the *Franklin et al.* patent. (See the Amendment of July 9, 2002, pages 6-20.)

In ¶9, the Examiner asserts that non-obviousness has not been shown because Appellants allegedly did not consider the combination of the applied references. This overly broad statement is not applicable to Appellants’ specific arguments as to why a *prima facie* case of obviousness has not been established with the proposed combination of the *Franklin et al.* and *Masuda* patents. It is respectfully asserted that Appellants have shown why that the Examiner failed to establish a *prima facie* case of obviousness. (See Appellants’ response of October 9, 2002, pages 16-17.)

⁵ Official Notice is intended for facts which are common knowledge or capable of unquestionable demonstration. See *In re Knapp-Monarch Co.*, 296 F.2d 230, 232, 132 USPQ 6, 8 (CCPA 1961). See also *In re Cofer*, 354 F.2d 664, 668, 148 USPQ 268, 271-72 (CCPA Appeal No. 1997-0915 Application 08/369,853 1966). Procedurally, when a reference is relied on to support a rejection even in a “minor capacity,” ordinarily that reference should be positively included in the statement of rejection. *In re Hoch*, 428 F.2d 1341, 1342 n.3, 166 USPQ 406, 407 n.3 (CCPA 1970). In ¶8, the Examiner appears to be implying that Official Notice was asserted in the rejections, however, notice of facts which are common knowledge or capable of unquestionable demonstration was not set forth in the rejections.

⁶ See Barry, “Did You Ever Notice? Official Notice in Rejections,” 81 JPTOS 136 (February 1999), citing *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 421 (CCPA 1970).

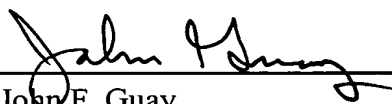
IV. Conclusion

From the foregoing, it can be seen that the *Franklin et al.* patent is directed to a significantly different objective from the present invention, and as a result does not suggest the present invention to one of ordinary skill in the art. The final rejection does not identify the specific limitations in the rejected claims, and explain how the *Franklin et al.* patent could be interpreted to disclose, or otherwise suggest, a number of the claimed elements. As pointed out above, the final rejection also does not explain why the *Franklin et al.* and *Masuda* patents, taken as a whole, suggest the claimed subject matter. Consequently, the Examiner has failed to establish a *prima facie* case of obviousness, as required for a rejection under 35 U.S.C. § 103.

The rejections of the claims are not properly founded in the statute, and should be reversed.

Respectfully submitted,

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APPENDIX A

The Appealed Claims

1. In a financial transaction system capable of using at least one limited use credit card number which is deactivated upon a use-triggered condition which occurs subsequent to assignment of the at least one limited use credit card number and which is associated the master account number of a customer, a method of controlling the validity of the limited use credit card number comprising the steps of:

sending to a customer from a limited use credit card number issuer a limited use credit card number which is not yet activated;

receiving acknowledgment of delivery by the customer of the limited use credit card number which is not yet activated;

communicating with a limited use card number card issuer to activate the limited use credit card number before it can be used in a transaction; and

validating the limited use credit card number to have associated limited use properties.

2. The method of claim 1, wherein said limited use properties are one or more properties selected from a group consisting of: a specific time period, a specific merchant, a specific group of merchants, a specific type of transaction, and a specific number of transactions.

3. The method of claim 1, wherein said sending step includes sending to the customer a software package from the card issuer along with a unique personal validity limited credit card number, said software package facilitating completion of a merchant's web page.

4. The method of claim 1, wherein said validation step includes:
activating validity limited credit card software using a user identification to identify the user with the card issuer;
requesting validation of a limited use credit card for a merchant as identified by a merchant identification number; and
providing an option for a user to specify additional limitations other than the specific merchant to the limitations on the limited use credit card number.

5. The method of claim 1, further comprising the steps of:
receiving by a merchant a limited use credit card number;
processing by a merchant the received limited use credit card number in a transaction as any other credit card number;
passing the transaction through to the card issuer's processing system;
requesting authorization of the transaction at the card issuer's processing system against the associated limited use properties; and
deactivating the limited use credit card number by the card issuer when a use-triggered condition is present.

6. The method of claim 1, further comprising the steps of:
deactivating the limited use credit card number by the card issuer when a use-triggered condition is present;

communicating with the card issuer to reactivate the limited use credit card number to be used in one or more additional transactions subsequent to the deactivating step; and revalidating the limited use credit card number with associated limited use properties.

7. The method of claim 6, wherein the limited use properties of the revalidated limited use credit card number are different from the limited use properties of the validated limited use credit card number.

8. In a financial transaction system capable of using at least one limited use credit card number that is deactivated upon a use-triggered condition which occurs subsequent to assignment of the at least one credit card number, a method of conducting a transaction involving the limited use credit card comprising the steps of:

initiating a transaction by a customer presenting a limited use credit card number to a merchant;

routing said limited use credit card number to a central processing system; and

determining whether said limited use credit card number has been deactivated because at least one use-triggered condition has been satisfied.

9. The method of claim 8, wherein the limited credit card number is linked to an organization selected from a group consisting of: a utility, a public network service provider, a telephone company, a bank account, a prepaid account and a credit card issuer.

10. The method of claim 9, further comprising
transmitting a signal to the organization which is linked to the limited use credit card number, the signal including original transaction details if the limited use credit card number has not been deactivated;
performing a credit check on the user to determine whether authorization can be obtained against the limited use credit card number; and
transmitting a signal to the merchant with the results of the authorization determining step for the limited use credit card number.

12. The method of claim 8, further comprising: transmitting a signal to the merchant denying authorization of the card number if the credit card number has been deactivated.

13. The method of claim 8, wherein the limited use credit card number is associated with a master credit card number, further comprising:

transmitting a signal to a master credit card issuing facility which issued the limited use credit card number, the signal including original transaction details but with the limited use credit card number remapped to be a master credit card number if the limited use credit card number has not been deactivated;

determining whether authorization can be obtained against the master credit card number;

remapping the results of the authorization determining step to the limited use credit card number for transmission to the merchant; and

transmitting a signal to the merchant with the results of the authorization determining step for the limited use credit card number.

14. The method of claim 13, further comprising authorizing the transaction based on the results of the authorization determining step.

15. The method of claim 13, further comprising declining authorization of the transaction based on the results of the authorization determining step.

16. In a financial transaction system capable of using at least one limited use credit card number which is deactivated upon a use-triggered condition which occurs subsequent to assignment of the at least one credit card number and which is associated the master account number of a customer, a method of conducting a settlement transaction comprising the steps of:

transmitting a signal from a merchant to a central processing system according to leading digits of the limited use card number;

remapping the limited use credit card number with the master credit card number;

transmitting said remapped master credit card number to issuer processing facility which issued the master credit card number;

settling the transaction by payment, if appropriate, to the central processing system;

remapping the master credit card number back to the limited use credit card number;

and

transmitting the limited use credit card number and payment information, if appropriate, to the merchant.

18. In a financial transaction system capable of using at least one limited use credit card number which is deactivated upon a use-triggered condition which occurs subsequent to assignment of the at least one credit card number and which is associated the master account

number of a customer, a method of providing remote access devices for accessing limited use numbers comprising the steps of:

submitting user authentication information and the master account number for entry into a database;

determining whether the user is a valid user of the master credit card number;

registering the user if the user is determined to be a valid user; and

obtaining, by a registered user, a software package to which enables communication with a remote access device support server to enable the issuance of limited use card numbers.

20. The method of claim 18, further comprising:

using the software package to initiate communication with the remote access support server;

authenticating the user at the remote access support server;

requesting a limited use number by an authenticated user.

obtaining an available limited use number;

entering the limited use number and the specified limitations into the database such that the limited use number is associated with the user's information already in database; and transmitting the limited use number to the user.

21. The method of claim 20, further comprising: specifying by the authenticated user any additional transaction limitations desired.

22. In a financial transaction system capable of using at least one limited use credit card number that is deactivated upon a use-triggered condition which occurs subsequent to assignment of the at least one limited use credit card number and which is associated the master account number of a user, a method of activating the limited use credit card number for only user-defined limited uses comprising the steps of:

sending to a user from a limited use credit card number issuer a limited use credit card number which is not yet activated;

receiving acknowledgment of delivery by the user of the limited use credit card number which is not yet activated; and

communicating with a limited use card number card issuer to activate the limited use credit card number before it can be used in a transaction, wherein the properties of said activation are defined by the user, and the card is only activated for user-defined limited uses.

23. The method of claim 22, wherein said limited uses are one or more user-defined uses selected from a group consisting of: a specific time period, a specific merchant, a specific group of merchants, a specific type of transaction, and a specific number of transactions.

24. The method of claim 22, wherein said sending step includes sending to the user a software package from the card issuer along with a unique personal validity limited credit card number, said software package facilitating completion of a form on a merchants web page.

25. The method of claim 22, wherein said communication step includes:

- activating activation-limited credit card software using a user identification to identify the user with the card issuer;
- requesting activation of a limited use credit card for use with a merchant as identified by a merchant identification number; and
- providing an option for a user to define additional uses other than the specific merchant to the limited uses permitted for the limited use credit card number.

26. The method of claim 22, further comprising the steps of:

- receiving by a merchant a limited use credit card number;
- processing by a merchant the received limited use credit card number in a transaction as any other credit card number;
- passing the transaction through to the card issuer's processing system;
- requesting authorization of the transaction at a processing system for a card issuer against the associated user-defined limited uses; and
- deactivating the limited use credit card number by the card issuer when a user-defined use-triggered condition is present.

27. The method of claim 22, further comprising the steps of:

- deactivating the limited use credit card number by the card issuer when a user-defined use-triggered condition is present;
- communicating with the card issuer to reactivate the limited use credit card number to be used in one or more additional transactions subsequent to the deactivating step; and
- reactivating the limited use credit card number with associated user-defined limited uses.

28. The method of claim 27, wherein the user-defined limited uses of the reactivated limited use credit card number are different from the user-defined limited uses of the activated limited use credit card number.